

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FRED WHELAN JR., on behalf of himself and all  
others similarly situated,

Plaintiff,

-against-

DILIGENT CORPORATION,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY  
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22 Civ. 7598 (AT)

**ORDER**

To protect the public health, while promoting the “just, speedy, and inexpensive determination of every action and proceeding,” Fed. R. Civ. P. 1, it is ORDERED pursuant to Rules 30(b)(3) and 30(b)(4) of the Federal Rules of Civil Procedure that all depositions in this action may be taken via telephone, videoconference, or other remote means. It is further ORDERED pursuant to Rule 30(b)(5) that a deposition will be deemed to have taken place “before an officer appointed or designated under Rule 28” if such officer attends the deposition using the same remote means used to connect all other participants, so long as all participants (including the officer) can clearly hear and be heard by all other participants. The parties are encouraged to engage in discovery through remote means at every available opportunity.

SO ORDERED.

Dated: September 7, 2022  
New York, New York



ANALISA TORRES  
United States District Judge